

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. NO. 04-CV-10521-GAO

BETTY ANNE WATERS, as  
Administratrix of the Estate of KENNETH  
WATERS,

Plaintiff

v.

TOWN OF AYER, NANCY TAYLOR-  
HARRIS, in Her Individual Capacity,  
ARTHUR BOISSEAU, In His Individual  
Capacity, WILLIAM ADAMSON, in His  
Individual Capacity, PHILIP L.  
CONNORS, in His Individual Capacity,

Defendants

DEFENDANTS NANCY TAYLOR-HARRIS  
AND PHILIP CONNORS' ASSENTED-TO  
MOTION TO FILE BRIEFS IN EXCESS  
OF TWENTY PAGES

Now come defendants, Nancy Taylor-Harris ("Taylor") and Philip Connors ("Connors"), pursuant to Local Rule 7.1, and hereby request leave to file Memoranda of Law in support of their Motions for Summary Judgment in this case in excess of the twenty (20) pages allowed under Local Rule 7.1(B)(4). As grounds therefor, the defendants rely on the within Memorandum of Reasons.

MEMORANDUM OF REASONS

1. In the Amended Complaint, plaintiff asserts the following counts against Officer Taylor and Chief Connors: 42 U.S.C. §1983 Fourteenth Amendment due process claims for failure to disclose exculpatory evidence and fabrication of inculpatory evidence (Count I); 42 U.S.C. §1983 Fourth Amendment violation for false arrest, malicious prosecution and Franks v. Delaware (Count II); conspiracy (Count IV); Massachusetts Civil Rights Act, G.L. c. 12, §11I (Count VII); and state law malicious prosecution (Count VIII). Plaintiff further alleges a supervisory liability claim against Chief Connors under 42 U.S.C. §1983 (Count III).

2. The Amended Complaint alleges complex constitutional, federal and state law claims against Officer Taylor and Chief Connors involving a underlying criminal investigation which occurred more than 25 years ago, spanned more than two years and involved the Middlesex District Attorney's Office and State Police.
3. To fully and properly brief the significant allegations plaintiff asserts against Officer Taylor and Chief Connors, the twenty (20) page limit allowed under Local Rule 7.1 (B)(4) is insufficient.
4. Plaintiff has assented to this Motion, and defendants have agreed to assent to a similar motion if necessary for the plaintiff to oppose such motions.
5. No party will be prejudiced by the allowance of this Motion, and fairness requires that Officer Taylor and Chief Connors be afforded the opportunity to fully defend themselves in this case.

WHEREFORE, defendants Officer Taylor and Chief Connors hereby move, pursuant to Local Rule 7.1(B)(4), for leave of this Court to file Memorandums of Law in Support of their Summary Judgment in excess of twenty (20) pages.

DEFENDANTS NANCY  
TAYLOR-HARRIS AND PHILIP  
CONNORS,

By their attorneys,

/s/ Joseph L. Tehan, Jr.

Joseph L. Tehan, Jr. (BBO # 494020)

Gregg J. Corbo (BBO # 641459)

Kopelman and Paige, P.C.

Town Counsel

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